

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

Mario Alberto Ontiveros-Cedillo **PRINCIPAL**
 A088 345 849 YOB: 1988
 the United Mexican States

United States District Court
 Southern District of Texas
 FILED

CRIMINAL COMPLAINT

Case Number:

SEP 10 2014

M-14-1771-M

Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 8, 2014 in Hidalgo County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Araceli Garcia-Espana, citizen and national of the United Mexican States and Monica Alexander Cruz-Chavez, citizen and national of El Salvador, along with seven (7) other undocumented aliens, for a total of nine (9), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport by foot said aliens in furtherance of such violation of law within the United States, that is, from a location near Hidalgo, Texas to the point of arrest near Hidalgo, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) **FELONY**
 I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On September 8, 2014, Border Patrol Agents apprehended a group of 10 undocumented aliens in close proximity to the Rio Grande River. All 10 illegal aliens were transported to the Weslaco Border Patrol Station for processing.

At the station, all 10 subjects were interviewed, and one person was identified as the group's footguide. Two material witnesses were secured against Mario Alberto Ontiveros-Cedillo.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

*Approved
J.S.*

Yes No

Frediberto Hernandez *Hernandez*
 Signature of Complainant

Frediberto Hernandez Senior Patrol Agent
 Printed Name of Complainant

Sworn to before me and subscribed in my presence,
September 10, 2014
 Date

at McAllen, Texas

City and State

Dorina Ramos, U. S. Magistrate Judge
 Name and Title of Judicial Officer

Dorina Ramos
 Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-14-1771-M

RE: Mario Alberto Ontiveros-Cedillo

A088 345 849

CONTINUATION:

PRINCIPAL'S STATEMENT:

Mario Alberto Ontiveros-Cedillo was read his rights. He stated he was willing to provide a statement without the presence of an attorney.

ONTIVEROS admitted to Agents that he guided a group of nine (9) undocumented illegal aliens across the Rio Grande River on September 8, 2014. Additionally, Ontiveros told agents that he has crossed several groups into the U.S. in the past and that he has been working as a foot guide on and off for approximately four (4) years. He stated that he gets paid \$100.00 USD per person that he smuggles and that he was supposed to make \$900.00 USD on September 8, 2014. Ontiveros went on to say that he knew he would be facing two (2) to five (5) years in prison if he was apprehended.

MATERIAL WITNESS STATEMENTS:

Both material witnesses were read their rights. Both stated they were willing to provide a statement without the presence of an attorney.

1- Araceli Garcia-Espana stated that her husband made arrangements to pay a total sum of \$3,300 (USD) in order to be smuggled to the United States. GARCIA told agents she was assisted by the foot guide after illegally crossing the Rio Grande River on an inflatable raft. After crossing the Rio Grande River she stated that they walked for approximately six (6) hours and that there were two (2) foot guides who told the group to follow them and remain quiet and walk at their pace. According to Garcia, the guides told the group that they had to walk to a location where they would be picked up by a vehicle. Furthermore, GARCIA stated that one of the foot guides repeatedly told the other foot guide that he was facing two (2) to five (5) years in prison if he was apprehended along with the group. GARCIA identified ONTIVEROS in a photo lineup as the foot guide who made that statement.

2- Monico Alexander Cruz-Chavez told agents he made arrangements with a well-known smuggler, only known as "Manuel" in El Salvador. He was to pay \$6,500 (USD) to be smuggled into the United States. CRUZ stated that after illegally crossing the Rio Grande River, the foot guides, told the group to follow them and not to make any noise. Moreover, he stated that the group walked for approximately six (6) to eight (8) hours before they were told that they had reached their intended pick-up location. CRUZ also mentioned that one of the foot guides told the other several times that he could not afford to be apprehended along with the group because if he was apprehended as a foot guide he would be going to prison for a long time. CRUZ stated that the group was resting and waiting for the pick-up vehicle when Border Patrol Agents appeared and apprehended the ten (10) subjects, including ONTIVEROS-Cedillo, Mario Alberto. He stated that the other foot guide was able to abscond and was not apprehended. CRUZ identified ONTIVEROS as a foot guide in a photo lineup.